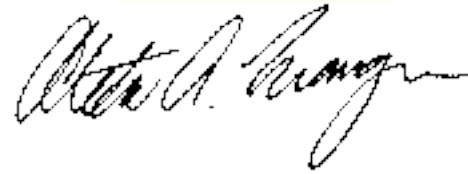


UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION



UNITED STATES OF AMERICA)	
)	
)	
v.)	No. 3:12-00117
)	Judge Trauger
)	
CORDELL JRAKE McKINLEY)	

MOTION AND INCORPORATED MEMORANDUM
TO CONTINUE TRIAL

NOW comes the defendant, Cordell McKinley (“Mr. McKinley”), through counsel, and respectfully requests that this Honorable Court enter an order granting a continuance of his trial date, presently set for October 16, 2012. Furthermore, counsel moves, pursuant to the Federal Rules of Criminal Procedure Rule 12(c), that this Honorable Court grant an extension of the pre-trial motions filing deadline. In support of said request, counsel submits the following:

Counsel has spoken to potential witnesses and believes there is at least one more that may have significant bearing in this case. Counsel needs additional time to speak to said witness and determine if there are others.

Assistant U.S. Attorney Clay Lee has authorized me to state that he does not have any objection to this request for a continuance.

18 U.S.C. § 3161(h)(8)(A) provides, in pertinent part, that any period of delay resulting from a continuance granted on the basis of a court’s findings that the ends of justice served by granting of a continuance outweigh the best interests of the public and the defendant in a speedy trial shall be excluded in computing the time within which the trial must commence.